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October 10, 2017

(Via ECF Only)

U.S. Magistrate Judge Daniel J. Stewart  
James T. Foley U.S. Courthouse  
445 Broadway – 4<sup>th</sup> Floor  
Albany, NY 12207

Re: Cinthia Thevenin v. City of Troy, *et al.*  
Case No. 16-CV-01115 (DJS)  
Our File No.: 11166-0001

Dear Magistrate Judge Stewart:

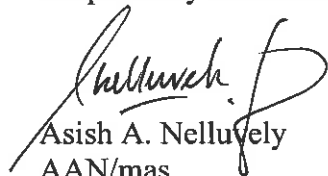
I am writing to provide an update as directed by the Court via text Order of October 2, 2017. Please be advised that the Motion to Unseal the Grand Jury Records with respect to Sgt. French's prosecution has been fully submitted to the County Court and is returnable on October 13, 2017. We will provide a further update to the Court once the motion is decided.

Please note that we have also served a proposed Subpoena with Notice upon Ms. Jennifer Sommers, Special Assistant Attorney General with the New York State Attorney General's Office. The Subpoena demands the disclosure of any and all ballistics report, accident reconstruction report, and/or reanimation report that may have been commissioned by the New York State Attorney General's Office with respect to the death of Edson Thevenin on April 17, 2016.

We have asked Ms. Sommers to advise of any objections that her office may have to production of these records by October 16, 2017 so that we may request a conference with the Court to resolve this matter without resorting to motion practice.

I will provide a further update to the Court upon communication from Ms. Sommer's office.

Respectfully submitted,



Asish A. Nelluvely  
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cc: All Counsel (*Via ECF only*)

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